IN THE HIGH COURT OF JUDICATURE AT BOMBAY

IN INSOLVENCY

NOTICE OF MOTION NO. 2 OF 2006

IN

NOTICE NO. N/235 OF 2005

Re: Ashok M. Soni
....Judgment Debtor

EX-PARTE :

Bhanwarlal Jawantraj Jain
.....Judgment Creditor

Mr. M.V. Limaye for judgment debtor.
Mr. R.D. Dave i/by. M/s. N.N.Vaishnawa & Co.
for judgment creditor

CORAM: S.U. KAMDAR, J.

DATED: 25TH APRIL, 2006.

P.C. :

1. The only ground for which this notice of motion is taken out is for setting aside this insolvency notice is the inability to pay the respondents. If that be so, then the Insolvency notice must be made absolute under Section 9(5) of the Insolvency Act there is no such ground available for setting aside the Insolvency notice.

sd/-

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